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M&R SOLUTIONS, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CLEAR-VIEW TECHNOLOGIES, INC, a) CASE NO. 5:13-cv-02744-BLF
California corporation,)
Plaintiff,)
vs.)
JOHN H. RASNICK, J. BASIL)
MATTINGLY, WILL RASNICK, and)
PARKER MATTINGLY, individuals)
resident in Kentucky; and M&R)
SOLUTIONS, LLC, a dissolved Kentucky)
Limited Liability Company,) Judge Beth Labson Freeman
Defendants.) Magistrate Judge Paul Singh Grewal
Complaint filed: June 14, 2013
FAC filed: March 19, 2014

1 TO THE COURT AND TO ALL COUNSEL OF RECORD:

2 Please be advised that DAVID R. JOHANSON and DOUGLAS A. RUBEL, counsel
3 for Defendants, JOHN H. RASNICK, J. BASIL MATTINGLY, WILL RASNICK,
4 PARKER MATTINGLY, and M&R SOLUTIONS, LLC, a dissolved Kentucky limited
5 liability company (collectively, "Defendants") will be unavailable for any hearings,
6 motions, depositions, trial, or other required court appearances, and will additionally be
7 unavailable to actively respond to any proposals or motions that may be filed, due and/or
8 heard during this period of said absence.

9 Both counsel are currently engaged in a trial in the United States District Court for
10 the Southern District of Mississippi, Northern Division, in Jackson, Mississippi, styled,
11 *Thomas E. Perez, Secretary of the United States Department of Labor v. Herbert C.*
12 *Bruister, et al.*, Case 3:13-cv-1001-DPJ-FKB, consolidated with *Joel D. Rader, et al. v.*
13 *Herbert C. Bruister, et al.*, Case 3:13-cv-1081-DPJ-FKB, which was initially scheduled
14 for a two-week trial beginning August 4, 2014. That trial has taken longer than expected
15 and is now expected to continue for four weeks, through August 29, 2014.

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Please be advised that purposely scheduling a conflicting proceeding without good cause is sanctionable conduct. *See, e.g., Tenderloin Housing Clinic v. Sparks* (1988) 8 Cal.App.4th 299.

Dated: August 15, 2014

Respectfully Submitted,

JACKSON LEWIS P.C.

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PLAINTIFFS JOHN H. RASNICK, J.
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and M&R SOLUTIONS, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 15, 2014, I caused a copy of the foregoing to be filed electronically via this Court's ECF Notice System. Notice of this filing will be sent to all parties by operation of this Court's electronic system.

JACKSON LEWIS P.C.

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